

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF A FAST TRACK NOTICE OF COMPLAINT

Name of Club - Rangers FC ("Club")

Name of Player - Allan McGregor ("Player")

1. These are the Written Reasons for a Determination made by a Fast Track Tribunal ("Tribunal"), which convened on 13 February 2019.
2. A Fast Track Notice of Complaint was issued by the Compliance Officer to the Alleged Party in Breach on 8 February 2019. It alleged a breach of Disciplinary Rule 200 said to have occurred during the Scottish Premiership match between Aberdeen FC and Rangers FC on Wednesday 6 February 2019.
3. It was alleged in the Fast Track Notice of Complaint that the Alleged Party in Breach's actions in or around the 69th minute amounted to the sending off offence of Serious Foul Play.
4. Evidence was put forward by the Compliance Officer including the Fast Track Notice of Complaint: Statements of the referee and assistant referees, statements of 3 former match officials, player discipline report, written submissions by the Compliance Officer and video evidence of the alleged incident.
5. The Breach was denied by the Alleged Party.
6. Written submissions and video evidence were submitted on behalf of the Alleged Party.
7. A hearing took place at Hampden Park on 13 February 2019 at 11.00 am.
8. The Alleged Party in Breach attended in person, accompanied by Club representatives.
9. The Alleged Party in Breach, through his representatives, took issue with the specification of the Notice of Complaint averring that it didn't adequately display the charge as required in paragraph 9 of the Judicial Panel Protocol 2018/19 and also that no part of the incident was not seen by one or more of the match officials as required by paragraph 13.3.1. That was rejected by the Compliance Officer who narrated that the Notice clearly specified a breach of rule 200 of the disciplinary rules and that the guidance in the Protocol had been met. The Compliance Officer also submitted that the match officials, from their statements, had either not seen the specific part of the act which was alleged constituted the breach of Disciplinary Rule 200 or had only seen a limited aspect of it and not the specific matter referred to in the Notice of Complaint. The Compliance Officer submitted that the part of the incident which was unseen was exceptional in terms of paragraph 13.3.4 due to the level of excessive force used in terms of paragraph 13.3.4.1 and a high level of endangerment in terms of 13.3.4.3.
10. The Alleged Party in Breach submitted that two of the match officials had seen all of the incident and referred to the referee and assistant referee's statements. They also referred to the referee's position, which, as demonstrated in the video evidence, they said gave a clear and unobstructed view.

11. The Fast Track Tribunal having viewed the available footage of the incident and having considered the submissions from both parties decided that the Fast Track Notice of Complaint was competent. The Tribunal accepted the Compliance Officer's submission that the alleged breach of Rule 200 was specified, the guidance provided in paragraph 13 of the Judicial Panel Protocol had been followed and that accordingly the requirements of paragraph 9 had been met. The Fast Track Tribunal also accepted the submission of the Compliance Officer that paragraph 13.3 was applicable as both the Referee and Assistant Referee stated that whilst they saw the generality of the incident, they had not seen the specific action of the Alleged Party that was the basis of the Notice of Complaint. They were both clear and unequivocal in that.
12. Both parties then addressed the Fast Track Tribunal on the issue of the unseen incident being an alleged sending off offence of serious foul play in terms of Disciplinary Rule 200. The Compliance Officer referred to the statements of the 3 former match officials and the video evidence that was shown. The Alleged Party submitted that the incident did not constitute Serious Foul Play, disagreeing with the statements submitted and referring both to the video evidence provided by the Compliance Officer and submitted by the club. The Alleged Party also gave evidence on his own behalf.
13. After due consideration of all the available evidence produced by both the Compliance Officer and from and on behalf of the Alleged Party, the Fast Track Tribunal found the Notice of Complaint proved.
14. The Tribunal accepted that there was neither malice intended nor arguably excessive force used by the Alleged Party but the lunge referred to in the Notice of Complaint certainly constituted endangerment to the safety of the opponent and the sending off offence of Serious Foul Play, was therefore committed. The mandatory suspension for the offence is a 2 match suspension to commence immediately.
15. Determinations of a Fast Track Tribunal are final and binding and there is no right of Appeal.